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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/656,588	09/07/2000	Michael J. Duigou	5181-72300	1253

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EXAMINER

BLAIR, DOUGLAS B

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 03/26/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/656,588

Applicant(s)

DUIGOU ET AL.

Examiner

Douglas B Blair

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3-6.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 9, 27 and 47 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. The term "in physical proximity" in claims 9, 27, and 47 is a relative term which renders the claim indefinite. The term "in physical proximity" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. For examination purposes it will be assumed that the claim is meant to describe wireless proximity.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 1, 4, 7, 9, 11, 19, 22, 25, 27, 29, 37-39, 42, 45, 47, and 49 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,356,761 to Huttunen et al..

6. As to claim 1, Huttunen teaches a method for accessing a proximity service, comprising: a client device forming a direct point-to-point communication link with a service device (col. 5, lines 24-54); the client device directly requesting to the service device a document that describes an interface to access a service provided by the service device (col. 9, lines 21-43); the client device receiving said document directly from the service device wherein said document comprises information describing how to access the service (col. 9, lines 21-43); wherein said requesting and said receiving are performed over said direct point-to-point communication link (col. 9, lines 21-43); and the client device using the information from said document to access the service (col. 9, lines 21-43).

7. As to claim 4, Huttunen teaches a method as recited in claim 1, wherein said document comprises a service advertisement for the service, wherein said service advertisement comprises a schema specifying an interface to at least a portion of the service (col. 9, lines 21-43).

8. As to claim 7, Huttunen teaches a method as recited in claim 1, wherein said receiving comprises receiving said document in an advertisement request response message sent from the service over said direct point-to-point communication link, wherein the advertisement request response message is in a data representation language (col. 9, lines 21-43).

9. As to claim 9, Huttunen teaches a method as recited in claim 1, wherein the client device is in proximity to a service device for wireless communications (col. 9, lines 21-43).

10. As to claim 11, Huttunen teaches a method as recited in claim 1, wherein the client device is in wireless proximity of the service device (col. 9, lines 21-43).

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11. As to claims 19, 22, 25, 27, 29, 39, 42, 45, 47, and 49, the feature the same limitations as claims 1, 4, 7, 9, and 11 and are rejected for the same reasons as claims 1, 4, 7, 9, and 11.

12. Claims 1-9, 11-15, 19-27, 29-33, 37-47, and 49-54 are rejected under 35 U.S.C. 102(a) as being anticipated by the article "An Architecture for a Secure Service Discovery Service" by Czerwinski et al..

13. As to claim 1, Czeriwinski teaches a method for accessing a proximity service, comprising: a client device forming a direct point-to-point communication link with a service device (Introduction); the client device directly requesting to the service device a document that describes an interface to access a service provided by the service device (Introduction); the client device receiving said document directly from the service device wherein said document comprises information describing how to access the service (Introduction); wherein said requesting and said receiving are performed over said direct point-to-point communication link (Introduction); and the client device using the information from said document to access the service (Introduction).

14. As to claim 2, Czeriwinski teaches a method as recited in claim 1, wherein said requesting comprises the client sending an advertisement request message for the service to the service device over the direct point-to-point communication link, wherein the advertisement request message is in a data representation language (Section 2).

15. As to claim 3, Czerwinski teaches a method as recited in claim 2, wherein the data representation language is XML (Section 2).

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16. As to claim 4, Czerwinski teaches a method as recited in claim 1, wherein said document comprises a service advertisement for the service, wherein said service advertisement comprises a schema specifying an interface to at least a portion of the service (Section 2).

17. As to claim 5, Czerwinski teaches a method as recited in claim 4, wherein said schema is an XML schema defining XML messages for a client on the client device to send the service and the service to send to the client in order for the client to access capabilities of the service (Section 2).

18. As to claim 6, Czerwinski teaches a method as recited in claim 5, wherein the client device using the information from said document comprises the client sending one or more of said XML messages to the service over said direct point-to-point communication link (Section 2).

19. As to claim 7, Czerwinski teaches a method as recited in claim 1, wherein said receiving comprises receiving said document in an advertisement request response message sent from the service over said direct point-to-point communication link, wherein the advertisement request response message is in a data representation language (Section 2).

20. As to claim 8, Czerwinski teaches a method as recited in claim 7, wherein the data representation language is XML (Section 2).

21. As to claim 9, Czerwinski teaches a method as recited in claim 1, wherein the client device is in proximity to a service device for wireless communications (Section 2).

22. As to claim 11, Czerwinski teaches a method as recited in claim 1, wherein the client device is in wireless proximity of the service device (Section 2).

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23. As to claim 12, Czerwinski teaches a method as recited in claim 1, wherein said requesting comprises including client security credential in a request to said service device for said document, and wherein said service device authenticates said client security credential before sending said document to the client device (Section 2).

24. As to claim 13, Czerwinski teaches a method as recited in claim 1, wherein said client device using the information from said document to access the service comprises: a client on the client device requesting a security credential from an authentication service specified in said document; the client receiving said security credential (Section 2); and the client including said security credential with a subsequent to the service to access a capability of the service (Section 2).

25. As to claim 14, Czerwinski teaches a method as recited in claim 13, further comprising the service verifying the client's security credential before allowing access to the capability (Section 2).

26. As to claim 15, Czerwinski teaches a method as recited in claim 14, wherein said authentication service is provided by the service device (Section 2).

27. As to claims 19-33 and 39-51, they feature limitations found in claims 1-15 and are rejected for the same reasons as claims 1-15.

28. As to claim 37, it features limitations corresponding to the client in claim 1 and is therefore rejected for the same reasons as claim 1.

29. As to claim 38, it features limitations corresponding to the server in claim 1 and is therefore rejected for the same reasons as claim 1.

Claim Rejections - 35 USC § 103

30. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

31. Claims 10, 28, and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over the article "An Architecture for a Secure Service Discovery Service" by Czerwinski et al..

32. As to claim 10, Czerwinski does not explicitly teach an infrared link.

Official Notice is taken that an infrared link is an obvious choice to for a wireless link.

33. As to claims 28 and 48, they feature the same limitations as claim 10 and are rejected for the same reasons as claim 10.

34. Claims 16-18, 34-36, and 52-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over the article "An Architecture for a Secure Service Discovery Service" by Czerwinski et al. in view of U.S. Patent Number 6,405,027 to Bell.

35. As to claim 16, Czerwinski does not explicitly teach a client device being a bridge.

Bell teaches a client device acting as a bridge (col. 2, line 64-col. 3, line 46).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Czerwinski regarding wireless communication with the teachings of Bell regarding using wireless device as a bridge because such configurations are useful in conferencing situations (col. 1, lines 18-40).

36. As to claim 17, Bell teaches a transport connection comprising a network connection (col. 2, line 64-col. 3, line 46).

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37. As to claim 18, Bell teaches a network connection comprising an internet connection (col. 2, line 64-col. 3, line 46).

38. As to claims 34-36 and 52-54, they feature limitations found in claims 16-18 and are rejected for the same reasons as claims 16-18.

Conclusion

39. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B Blair whose telephone number is 703-305-5267. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair
March 19, 2004

DBB


JACK B. HARVEY
SUPERVISORY PATENT EXAMINER